

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

Case No. 2:22-cv-00125-JRG

JURY TRIAL DEMANDED

**DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF PLAINTIFF
ENTROPIC COMMUNICATIONS, LLC'S MOTION FOR SUMMARY
JUDGMENT OF NO LICENSE BASED ON DOCSIS**

I, James A. Shimota, declare:

1. I am a Partner with the law firm of K&L Gates LLP, and I am counsel of record for Plaintiff Entropic Communications, LLC ("Entropic") in the above-captioned matter. I am submitting this declaration in support of Entropic's Motion for Summary Judgment of No License Defense Based on DOCSIS. I have personal knowledge of the matters stated herein and, if called to testify to such matters, I could and would testify hereto.

2. Attached as Exhibit A is a true and correct copy of an alleged executed DOCSIS License produced by third party CableLabs bearing the Bates Number CABLELABS000000001 - CABLELABS000000010.

3. Attached as Exhibit B is a true and correct copy of selected excerpts of the deposition transcript of Daniel Boglioli as 30(b)(6) witness of Defendant Charter taken on August 11, 2023.

4. Attached as Exhibit C is a true and correct copy of selected excerpts of the deposition transcript of Kevin Almeroth, Ph.D, expert witness for Defendant Charter, taken on August 23, 2023.

5. Attached as Exhibit D is a true and correct copy of the Expert Report of Dr. Kevin Almeroth Regarding Licensing and Non-Infringing Alternatives.

I certify under penalty of perjury under the laws of the United States that the foregoing statements are true and correct. Signed this 11th day of September, 2023.

/s/ James A. Shimota
James A. Shimota